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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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08/923,369 09/03/97 KOIKE

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| EXAMINER |
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LM02/1124

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| BOCCIO.V | |
| ART UNIT | PAPER NUMBER |

2712

DATE MAILED:

11/24/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/923,369

Applicant(s)

Koike et al.

Examiner

Vincent F. Boccio

Group Art Unit

2712



☒ Responsive to communication(s) filed on 9/2/98, Amendment-B

☐ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 8-20 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 8-20 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

DETAILED ACTION

Amendments to the Specification

Amendment-A, received on 9/3/97, amending the specification page 2, item corresponding to "Page 32, line 1, changing "prevent" to --prevents", has not been entered, because on page 32 line 1, fails to comprise the word "prevent".

Amendment received on 9/2/98 amending the specification, have not been entered, because the amendment is a duplicate of Pre-Amendment-A on 9/3/97.

Response to Arguments

1. Applicant's arguments with respect to claims 8-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 8-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lang(US 5,164,839) in view of Takada et al.(US 5,715,104).

Regarding claims 8-9, 12-13 and 15-20, Lang discloses in Fig. 2, a video data recording and reproducing apparatus for editing(see col. 2, lines 29-32) a source video data(see "TV Tuner-16", said system comprising: a video tape recording

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means(see col. 3, lines 37-39, "...AVRU 11 may be a VCR...", or a tape recording means,) for recording onto a tape medium with a first data rate(the first rate is the real time input rate from the source thru, "tuner-16").

Lang further discloses a disc recording means(see col. 6, lines 28-42 "...optical disc memories... magnetic disks.. etc") and at col. 1, lines 36-43, "...editing recorded programs and high speed recording...", and col. 8, lines 18-33, "The VCR-ET can receive/transmit a video program at an accelerated rate via fiber optic port 18 from/to a variety of sources. For example a video program may be communicated at an accelerated rate from the first VCR-ET to a second VCR-ET in less time than it would take to view the program. Thus, it is not necessary to access the optical fiber for long periods of time in order to transmit a long video program.", and an editing means for editing a plurality of portions as dictated by the user(see col. 6, lines 46-52). It is clear **in the digital environment**, Lang can provide high speed input/output of information to and from VCR-ET-10.

Lang discloses an AUX Digital Input-17 in Fig. 12, to the high speed data bus and further discloses the ability to transfer information to and from the high speed bus at high transfer rates, but (fails to disclose wherein the tape recording medium is capable of transferring recorded information at high speed,

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clearly due to the limitation of the A/D conversion process in the era of Lang(1988).

Takada et al., teaches the process of high speed dubbing utilizing a Digital Video Tape Recorder(see col. 3, lines 1-4) having digital and analog inputs and outputs to perform the process of high speed dubbing(see Abstract), utilizing the digital inputs and outputs.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Lang by incorporating a digital tape recording medium having a high speed dubbing capability as an input to the high speed bus of the editing system, as taught by Takada et al. in order to perform high speed dubbing capability allowing dubbing at higher than real time recording rate as taught by Takada et al.. Furthermore, since Lang discloses inputting and outputting at high speed from a variety of sources, the disc of Lang clearly can provide control of outputting of information at higher and lower or at the normal recording speed, to and from the high speed dubbing digital VCR of Takada et al.. or any other source available.

Regarding claims 10 and 11, the combination of Lang and Takada et al. meet the limitations of recording and reproducing information from the high speed bus from the disc means, to any source or destination such as the tape recording and reproducing

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means (Takada et al.), wherein the editing means control the reproducing operation from said disc recording means.

Regarding claim 14, the combination of Lang and Takada et al. further meet the limitation of a transfer means(see Fig. 2, "High Speed Bus-34") for transferring the reproduced video data from the tape recording means(Takada et al.), and said edited video data reproduced from the disc recording means.

Contact Fax Information

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communication intended for entry)

or:

(703) 308-5399, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Contact Information

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent F. Boccio whose telephone number is (703) 306-3022.

If any attempts to reach the examiner by telephone are unsuccessful, the examiners supervisor, Andrew Faile, can be reached at 703-305-4380.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is 703-305-3900.

V.F.B. *VFB*
November 17, 1998

Wendy Garber
Wendy Garber
Supervisory Patent Examiner
Technology Center 2700